

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

**UNITED STATES OF AMERICA and
PEOPLE OF THE VIRGIN ISLANDS,**

v.

JAHEEM BENJAMIN,

Defendant.

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Criminal Action No. 2017-0010

Attorneys:

Daniel H. Huston, Esq.,

St. Croix, U.S.V.I.

For the Government

Omodare B. Jupiter, Esq.,

St. Croix, U.S.V.I.

For Defendant

ORDER

UPON CONSIDERATION of Defendant Jaheem Benjamin’s “Motion to Suppress Tangible and Derivative Evidence” (Dkt. No. 27) and “Motion to Suppress Statements” (Dkt. No. 28) (together, “Motion to Suppress”); the Government’s omnibus opposition thereto (Dkt. No. 32); Defendant’s “Response to Government’s Opposition to Motion to Suppress Evidence” (Dkt. No. 34) and “Response to Government’s Opposition to Motion to Suppress Statements” (Dkt. No. 35); testimony at the suppression hearing; Defendant’s supplemental briefing (Dkt. No. 67); the Government’s amended supplemental response (Dkt. No. 74); and for the reasons stated in the accompanying Memorandum Opinion, filed contemporaneously herewith, it is hereby

ORDERED that Defendant’s “Motion to Suppress Tangible and Derivative Evidence” (Dkt. No. 27) is **DENIED**; and it is further

ORDERED that Defendant's "Motion to Suppress Statements" (Dkt. No. 28) is **DENIED**, except to the extent set forth herein; and it is further

ORDERED that Defendant's Motion to Suppress his statement claiming ownership of the marijuana found in his residence is **DENIED AS MOOT** in light of the Government's concession that the statement should be suppressed.

SO ORDERED.

Date: December 30, 2018

_____/s/_____
WILMA A. LEWIS
Chief Judge